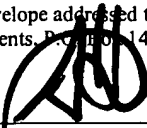




CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MAIL STOP MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 7, 2004.

  
\_\_\_\_\_  
Scott R. Hansen, Reg. No. 38,486

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/772,105  
Applicant : Tracey Glenn et al.  
Filed : February 3, 2004  
Title : CORE LABEL DISPENSER  
Art Unit : Unassigned  
Examiner : Unassigned  
  
Docket No.: : AVERY-67332 (3371-US)  
Customer No. : 24201

MAIL STOP MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b)**

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 § 1.53(b), mailed August 17, 2004 (copy attached), Applicants submit herewith the executed Declaration and Power of Attorney for the above-identified application together with our check in the amount of \$130.00 to cover the surcharge fee.

Applicant respectfully requests that the Attorney Docket No. be corrected to read:

**AVERY-67332 (3371-US)** 2

Please credit any overpayment or charge any additional fees in this matter to our  
Deposit Account No. 06-2425.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:



\_\_\_\_\_  
Scott R. Hansen

Registration No. 38,486

SRH:gbr

Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, CA 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696  
Customer No. 24201

67862.1



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/772,105	
	Filing Date	February 3, 2004	
	First Named Inventor	Tracey Glenn et al.	
	Art Unit	Unassigned	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission	17	Attorney Docket Number	AVERY-67332 (3371-US)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input checked="" type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1. Fee Transmittal PTO/SB/17
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	2. Copy of Assignment
<input type="checkbox"/> Certified Copy of Priority Document(s)		3. Check for \$130.00
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	4. Return postcard
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	PLEASE CORRECT THE DOCKET NO. TO:  AVERY-67332 (3371-US)	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Scott R. Hansen, Reg. No. 38,486 For FULLIDER PATTON LEE & UTECHT, LLP
Signature	
Date	October 7, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the			
Typed or printed name	Scott R. Hansen	Date	October 7, 2004
Signature			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** **\$130.00**

## Complete if Known

Application Number	10/772,105
Filing Date	February 3, 2004
First Named Inventor	Tracey Glenn et al.
Examiner Name	Unassigned
Art Unit	Unassigned
Attorney Docket No.	AVERY-67332 (3371-US)

**METHOD OF PAYMENT** (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: **06-2425**

Deposit Account Name: **FULWIDER PATTON**

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION						
1. BASIC FILING FEE						
Large Entity		Small Entity				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		Fee Paid
1001	770	2001	385	Utility filing fee		
1002	340	2002	170	Design filing fee		
1003	530	2003	265	Plant filing fee		
1004	770	2004	385	Reissue filing fee		
1005	160	2005	80	Provisional filing fee		
SUBTOTAL (1)				( \$ )		\$0.00

**2. EXTRA CLAIM FEES FOR UTILITY AND**

Extra Claims		Fee from below	Fee Paid
Total Claims	-20** = 0	X	0.00
Independent Claims	-3** = 0	X	0.00
Multiple Dependent			

**Small Entity**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid	
		1202	18	2202 9 Claims in excess of 20		
		1201	86	2201 43 Independent claims in excess of 3		
		1203	290	2203 145 Multiple dependent claim, if not paid		
		1204	86	2204 43 ** Reissue independent claims over original patent		
		1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent		
SUBTOTAL (2)					(\$)	\$0.00

\*\*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non - English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					

SUBTOTAL (3)		(\$)	\$130.00
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\*Reduced by Basic Filing Fee Paid

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY**

Name (Print/Type)	Scott R. Hansen	Registration No. (Attorney/Agent)	38,486	Telephone	(310) 824-5555
Signature		Date	October 7, 2004		

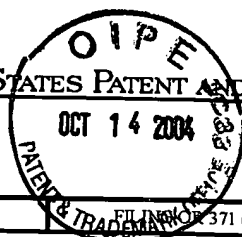
**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/772,105	02/03/2004	Tracey Glenn	VERY 67332

FULWIDER PATTON LEE & UTECHT, LLP  
 Howard Hughes Center  
 Tenth Floor  
 6060 Center Drive  
 Los Angeles, CA 90045

RECEIVED  
 AUG 20 2004

FULWIDER PATTON LEE & UTECHT  
 LOS ANGELES

VERY 67332 (3371-US)  
 CONFIRMATION NO. 4870

FORMALITIES LETTER



\*OC000000013556097\*

Date Mailed: 08/17/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/15/2004 SDIRETA1 00000048 10772105  
 01 FC:1051

FILED UNDER 37 CFR 1.53(b)

130.00 DP

Filing Date Granted

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

### Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

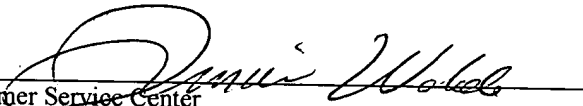
- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not identify the residence (e.g., city and either state or foreign country) of each inventor.
- does not identify the complete mailing or post office address of each inventor.
- does not identify the citizenship of each inventor.

COPY

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE